

FACTA UNIVERSITATIS

Series: **Law and Politics** Vol. 15, N° 1, 2017, pp. 71 - 84

DOI: 10.22190/FULP1701071M

Original Scientific Article

THE TREATMENT OF PRISONERS IN THE PENITENTIARY-CORRECTIONAL FACILITY IN NIŠ

UDC 343.811(497.11 Niš)

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Abstract. *The main objective and purpose of imprisonment sentence is to enable an offender to comply with social norms and values, and become a useful member of the society. In order to achieve this goal it is necessary to rehabilitate the convict, thus making the imprisonment sentence an effective measure of social protection. Successful re-socialization is achieved by providing institutional treatments adapted to individual prisoners, given the characteristics of their personality. In order to achieve the purpose of punishment, this treatment should meet particular requirements, particularly in terms of continuous improvement of individual treatment, developing modern methods of treating and working with prisoners, continuous improvement of living conditions in prisons, and respecting prisoners' human rights. This paper includes research results on different forms of treatment applied in the Penitentiary-Correctional Facility in Niš, their importance and impact on convicted offenders who are serving a prison sentence. The author underscores the significance of continuing theoretical and empirical research on this topic.*

Key words: *Penitentiary-Correctional Facility in Niš, forms of treatment, imprisonment, re-socialization.*

1. INTRODUCTION

The purpose of institutional treatment and the main tasks of penitentiary institutions is a successful social reintegration of convicted offenders and their training for socially acceptable behavior after their release. In the penological literature, the term *treatment* implies a manner of dealing with convicts during their imprisonment, and its main goal is to achieve the purpose of punishment or correction, rehabilitation and social reintegration of offenders. Therefore, treatment is a complex system of methods, measures and procedures aimed at exerting an influence on the prisoners' conduct and changing their personality in special conditions, such as those involving isolation from the society.

Received January 7th, 2017 / Accepted February 24th, 2017

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The paper presents the results of research conducted in the Penitentiary-Correctional Facility in Niš, with the aim of providing a comprehensive overview of the organized forms of treatment imposed on inmates in the Penitentiary-Correctional Facility in Niš, their involvement and interest in each of the treatment forms, the achieved results of implemented treatment generally and individually for some forms. The author identifies certain omissions and contradictions as compared to the theoretical framework, and discusses the methods for eliminating the observed drawbacks. The study has theoretical and practical, scientific and social significance since adequate forms of treatment should prevent future criminal behavior and achieve re-socialization of convicts.

2. RESEARCH DESCRIPTION

The survey was conducted in the Penitentiary-Correctional Facility in Niš (hereinafter: PC Institute), which currently has 1,450 convicts serving their sentence.¹ The PC Institute is organized on the model of the Irish progressive penitentiary system, including closed and semi-open divisions (wards) and a division for the execution of detention measure. In addition to three pavilions for the accommodation of inmates and the central administration office ("the White House"), the PC Institute infrastructure includes: a hospital, a community center, a school, a storehouse (for clothes and footwear), a bakery, a kitchen with a dining room, a laundry/utility room, a reception room for visitors, two smaller facilities (huts) for unattended visits, industrial facility "Deligrad", a boiler room heating facility, watchtowers and a detention unit. The architectural solutions are adapted to the function of this correctional institution, and changes in spatial design solutions can be traced back from 1949 to the present day.

The Penitentiary-Correctional Facility in Niš houses male persons sentenced to a term of imprisonment ranging from one to 20 years, as well as previously convicted males sentenced to a term of imprisonment of more than 6 months.

In order to perform the basic tasks and duties arising from the scope of activities that the PC Institute is authorized for, the following services have been organized: the institutional treatment service, the security service, training and employment services, a health care service and general affairs office. The institutional treatment service has the most important role and major influence on a successful re-socialization of prisoners; it establishes different correctional and educational programs for treatment of convicted persons and coordinates the work of other divisions and other stakeholders in the implementation of these programs. The treatment service has a unit for psychological assessment of convicted offenders, a unit for correctional treatment programs, and a unit for educational activities and training. The activities of these units are aimed at providing professional assistance, vocational training programs and working engagement of inmates, with the ultimate purpose of ensuring their re-socialization²

¹ Data from August 2016, retrieved from the PC Institute archives.

² Monograph: 100 years of the Penitentiary -Correctional Facility in Nis 1910- 2010 (pp. 53-58).

3. SAMPLE, METHOD, SUBJECT AND GOAL OF RESEARCH

The empirical research in the Penitentiary-Correctional Facility in Niš was conducted in July-August 2016 on the research sample including a total number of 30 convicts. After being introduced with the actual institutional activities and prison environment, the researcher was authorized to access personal records of 30 randomly selected inmates, who were subsequently interviewed on a voluntary basis. The research sample was taken randomly so that it included a proportional number of convicted offenders from all institution units: 7 prisoners from the closed ward (Pavilion C) and 23 convicted offenders from the semi-open ward (10 residing in Pavilion A and 13 residing in Pavilion B).

The methods of direct and indirect observation and content analysis were used in conducting this empirical research. The method of direct observation (without the researcher's involvement) was applied to establish relevant facts related to the convicted persons, their institutional treatment and the institution itself. The methods of indirect observation and content analysis were used in the process of reviewing the convicts' personal records, as well as in the analysis of completed surveys.

The survey was conducted during July and August 2016. The survey included 30 convicts who were asked to fill out a multiple-choice questionnaire by selecting the best suitable responses from the provided list; in some questions, they could also choose a number of responses. The interviewed convicts voluntarily agreed to fill out the questionnaire. In line with the anonymous nature of the survey, the convicts did not sign or enter their names on the questionnaire, which ensured the protection of privacy and confidentiality of personal information. During the research, informal interviews were frequently conducted with educators, psychologists, pedagogists and other institution employees, whose assistance has significantly contributed to the quality of research work.

All the respondents were male prisoners, aged from 23 to 52 (37.5 on average). At the time of the survey, the inmates with the longest period spent in prison were the convicts serving a sentence of imprisonment of over 5 years, whereas those with a minimum time spent in prison were the inmates who came to the institution in the current year of 2016, which means that they spent less than one year in the institution.

The subject matter of this empirical research includes the forms of institutional treatment carried out in the Penitentiary-Correctional Facility in Niš, their influence and importance for the prisoners serving their sentences in this institution. The study also encompasses a qualitative overview and analysis of the forms of treatment in the Penitentiary-Correctional Facility in Niš.

The research aims to determine: what treatment forms are most frequently applied in the Penitentiary-Correctional Facility in Niš, the scope of prisoners' engagement throughout the treatment implementation, how treatments are carried out and what services are involved in the process. It also aims to define the most productive forms of treatment, activities and professional training contents used for achieving successful social reintegration.

4. THE FORMS OF TREATMENT APPLIED IN THE PENITENTIARY-CORRECTIONAL FACILITY IN NIŠ

The main form of institutional treatment applied in the Penitentiary-Correctional Facility in Niš is prisoners' engagement in various correctional work programs. There are also educational courses and training programs aimed at acquiring primary and secondary

vocational education. Occupational therapy is organized for prisoners who are incapable of working or can only do some easier jobs. The most commonly used form of treatment is individual work, while group work is applied only exceptionally.

The analysis of data collected from the survey, the inmates' personal records and informal interviews with the treatment service personnel leads to the conclusion that the following forms of treatment are carried out in the Penitentiary-Correctional Facility in Niš: convicts' work engagement, occupational therapy, educational/vocational programs for convicts, spare time activities, individual work with convicts (including psychotherapy to a limited extent, and reward and punishment system), group work/therapy (to a very limited extent), and prisoners' self-organization. Notably, all the respondents (surveyed convicts) were found to be involved in at least one of these forms of institutional treatment.

4.1. Prisoners' work engagement

The aim of prisoners' work engagement as a form of institutional treatment is to acquire, maintain and increase their working capacity, habits and professional knowledge. The convicts' work engagement is considered to be the primary and the most effective form of treatment (Konstantinović-Vilić, Kostić, 2011: 167) because it provides the preconditions for the convicted person to find a job after leaving the penitentiary institution, which significantly prevents recidivism. In the Republic of Serbia, a failure to provide work process for convicts constitutes a violation of their human/civil rights, as stipulated in Article 23 of the Act on the Execution of Criminal Sanctions³ and Article 41 of the Rulebook on House Rules of Penitentiaries and District Prisons⁴, which stipulate that work represents an integral part of the treatment program.

In the Penitentiary-Correctional Facility in Niš, the type of work is determined on the basis of convicted offenders' physical and mental capacity, professional qualifications, expressed wishes, and overall institutional infrastructure and capacities of the correctional facility. After examining the convicts' personal records and analyzing the survey results, it has been established that 80% of respondents (surveyed convicts) are covered by work engagement in the institution, while others are involved in some other forms of institutional treatment (*Chart 1*).

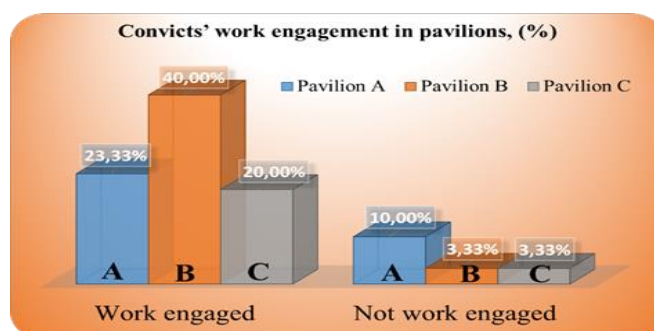


Chart 1 Convicts' work engagement per Pavilion (in percentages %)

³ The Act on the Execution of Criminal Sanctions ("Official Gazette of RS" No. 55/2014).

⁴ The Rulebook on House Rules of Penitentiaries and District Prisons ("Official Gazette of RS" no. 55/14).

From the total number of 30 respondents included in the survey, whose personal records were inspected, the analysis revealed as follows: first, out of 7 convicts residing in Pavilion C, six inmates were included in work engagement (20%) and only one of them was not included in the work engagement program (3.33 %); second, out of 13 convicts residing in Pavilion B, 12 inmates were included in work engagement (40%) and only one of them was not included in the while only one was not included in the work engagement program (3.33%); finally, out of 10 convicts residing in Pavilion A, 7 inmates were included in work engagement (23.33%) and 3 inmates were not included in the work engagement program (10% of the total sample).

Therefore, a vast majority of convicts capable of working were involved in various jobs. Occupational therapy was organized for those who were incapable of working or were only able to perform some easier jobs.

The industrial facility "Deligrad" is located on the premises on the Penitentiary Correctional Facility in Niš. Until 2009, it was an independent industrial facility providing vocational training and employment services for the PC purposes. In 2009, it ceased to exist as a legal entity and all its rights and obligations were transferred to the Penitentiary Correctional Facility in Niš. All the activities performed in the industrial facility "Deligrad" are now organized as part of the PC Institute training and employment services, and all the work is organized in the eight sections.

This industrial facility provides different forms of vocational training and occupational therapy, related to crafts, agriculture, industry, intellectual work, and others. In the selection of relevant work activities, subjective and objective factors must be taken into account. The subjective factors include: the level of economic development of the immediate environment which the convict comes from, local traditions, possibility of re-employment after serving the sentence, the financial standing and family structure, the capacity of local institutions to organize various kinds of manufacturing jobs. The subjective factors include: propensities, interests, needs and abilities which may not always be expressed coherently because in many cases there is more or less pronounced discrepancy between the demonstrated interest and the actual ability to perform certain types of activities (Ogrizović, M., 1970: 59,60).

It is worth noting that most of the surveyed convicts from the semi-open ward were working at the agricultural facility "Bubanj" (a total of 56.00%), which is also part of the infrastructure of the Penitentiary Correctional Facility in Niš.

The largest number of surveyed convicts were engaged in industrial production, particularly attending courses for mechanics, welders, assembly of finished products, fire protection (36.67%). In terms of agriculture, 33.33% of the surveyed convicts were involved in the activities related to farming, pig breeding, rearing chickens, mill operation, tractor operation. The remaining 30% of the surveyed convicts were engaged in jobs such as printing, tire repair, plant maintenance, kitchen jobs, and cleaning. On the whole, most convicts (63.33%) were satisfied with the type of work done in the Penitentiary Correctional Facility in Niš, 13.33% believed that the work they did was useless, while 30% were satisfied but believed that the offer of jobs should be better.

Besides contributing to acquiring, maintaining and increasing job skills, work habits and professional knowledge of convicts, work can also contribute in a positive way to behavior and personality changes of convicts: useful time consumption, maintaining physical and mental health, individual job training, professional development and the like.

Prisoners incapable of productive work were enabled to have training for various types of jobs. In the Penitentiary-Correctional Facility in Niš, there is a training centre which has

been organizing vocational training since 19 July 2006. In the training centre building, there is a gymnasium with a small gym facility, a classroom, a computer room, room and offices for the centre staff. The PC Institute organizes training and courses for various types of jobs. After completion of training and examinations, candidates obtain a certificate of professional competence for occupations in certain areas. In this way, these qualified persons have better access to employment after their discharge from the institution, which definitely facilitates the process of re-socialization and integration into society. *Chart 2* shows the number of persons per pavilion who have completed or are still in the process of completing different training programs. The current average amounts to 36.67%.

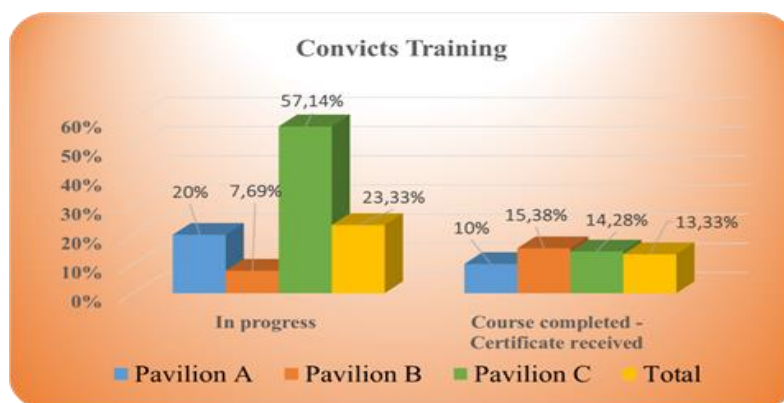


Chart 2 Number of convicts who completed or are completing training courses per Pavilion (in %)

In response to the question of prisoner's motivation to work in prison, 60% of surveyed convicts responded that they were motivated by *the desire to improve themselves and be useful*, 23,33% of convicts *hoped that it would provide certain benefits in prison*, while 16.67% of convicts were motivated by some other drives (*Chart 3*).

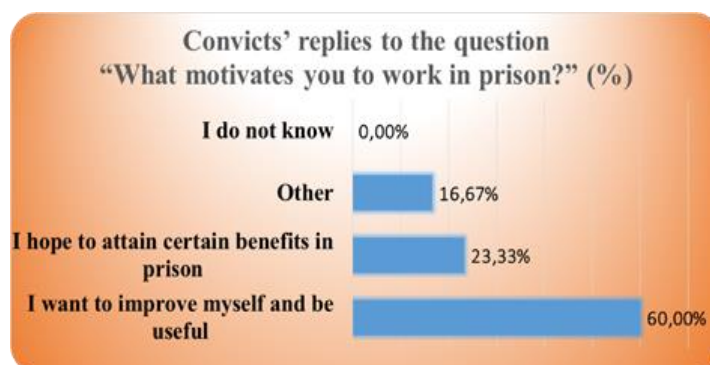


Chart 3 Convicts' replies to the question "What motivates you to work in prison?" (in %)

4.2. Education of prisoners

Education, as a form of institutional treatment, should prevent future criminal behavior of convicts and facilitate their re-integration into the society after discharge from prison. Significance of the educational process in a penitentiary institution arises from the results of criminological research, which show that low level of education and primitive behavior lead to disrupted criteria for assessing what is admissible or inadmissible conduct, or misconduct. Low level of education in combination with other criminogenic factors plays a significant role in the genesis of criminal behavior. The educational level of prison population proved to be extremely low prior to the execution of crime (Suleimanov, 1997: 487).

Primary education and secondary vocational education in the Penitentiary-Correctional Facility in Niš is intended for convicts aged from 23 to 40. The selection of participants for training is carried out in the personality testing unit, where an expert team proposes an educational treatment program for convicts. When deciding on education of convicts, the following are taken into account: professional aspirations, prior schooling, age, mental capacity, interests, motivation for education, and the like. The expert bodies of the PC Institute school are the teachers' council, class councils and class-teachers.

The survey results revealed that 6.66% of the surveyed convicts had obtained a college education before coming to prison, 3.33% of respondents acquired higher education, 53.33% of respondents completed high school, 20% of respondents completed primary education, while 16.66% of respondents did not complete primary school.

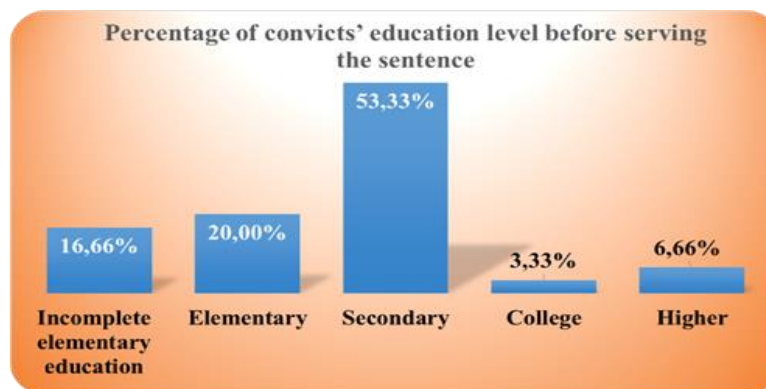


Chart 4 Percentage of convicts' education level before serving the sentence

Education as a form of treatment is applicable only to convicts who have not completed primary and secondary school. Thus, prisoners who have not completed primary school are enabled to complete primary school and obtain general primary education. Prisoners who have not completed high school have the opportunity to acquire secondary vocational education, whereas higher school or university education is not available to convicts in the Penitentiary-Correctional Facility in Niš. *Chart 5* shows the surveyed convicts' involvement in education.

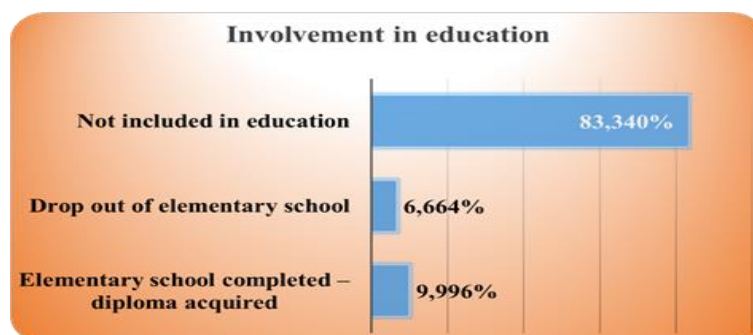


Chart 5 Percentage of convicts involved in education as a form of treatment

All surveyed convicts (16,66%) who did not complete primary education were involved in the educational process for obtaining elementary school diplomas. The survey results show that 9,996% of these convicts completed primary school and were awarded diplomas, while the remaining 6,664% of convicts were involved in the process of continuing their primary education but gave up after some time, mainly for financial reasons and the need to receive regular income, which may only be achieved through work engagement.

It can be concluded that most of the convicts with incomplete primary school agreed to engage in the educational process and finish primary school, while a smaller number of prisoners gave up schooling. The survey covered only prisoners who had not completed primary school, because there was a need for education and completion of school. However, this form of treatment was not available to convicts who had a higher level of education; in cases where it applied, it mainly involved some form of occupational training.

4.3. Convicts' self-organization as a form of treatment

The concept of self-organization implies that convicts are allowed to organize certain aspects and activities of their life in prison by themselves and participate in decision-making processes, but all their proposals and requests have to be approved by the institution authorities. Nonetheless, these duties significantly contribute to the development of self-discipline and strengthen the convicts' social responsibility for activities they organize and manage. By participating in communal decision-making processes, convicts assume obligations in an easier and more conscientious manner, as compared to the obligations imposed by the institution authorities and the authoritarian staff. So far, experience has proven that prisoners are interested in being elected members of the convicts' self-organization bodies although they do not receive any prize or material compensation for that (Nikolić, 158-160). Thus, the convicts develop certain habits which serve as the basis for their subsequent conduct. Being included in the activities of the institution administration, they feel entrusted with certain authority, which further inspires them to take greater responsibility for their behavior (Milutinović, 1985: 130).

In accordance with applicable legislation and by-laws (PC Institute House Rules), convicted persons in the Penitentiary-Correctional Facility in Niš have been recognized the right to participate in the self-organization of their life and work in the institution.

All convicts residing in open and semi-open wards (classified in the first and second group), have the right to elect and be elected members of the convicts' self-organization

bodies. Convicts elect their representatives to sit in different commissions and participate in the activities of department and pavilion bodies. The highest body of convicts' self-organization is the Community Assembly. Proposals are adopted at meetings of the Assembly, which are then submitted to the Management of the PC Institute for approval. The work of convicts' self-organization bodies is based on the principle of transparency and mutual cooperation. These bodies cooperate closely with the relevant PC Institute departments.

In that context, the surveyed convicts were asked to respond to following question: "*Do you have any influence on making changes about your position in prison?*" A total of 38.33% of inmates responded "*Yes, I have the opportunity to express my opinion which is respected*"; 36.66% of convicts responded "*Yes, I can say what I think but it does not affect my position*"; 33.33% of convicts said "*I have no influence on my position*"; and 3.33% of convicts responded "*I do not know*".

4.4. Individual and group work

A wide range of various therapeutic techniques are used in individual work with convicts, depending on the importance of such work for prisoners' rehabilitation. In that context, there are significant technical procedures, including methods of treatment as well as the average length of time required for the implementation of certain forms of treatment (Koran, McCorkle, 1959: 556).

In working with the convicted persons serving their sentence in the Penitentiary-Correctional Facility in Niš, the main form of work is immediate correctional and individual work with prisoners which includes both structured and unstructured interviews, which are recorded. Another form of work is group work as a method of institutional treatment in the closed ward of the PC Institute. The average number of participants is 10-11 convicts per group.

In the opinion of educators, individual work is the most appropriate form of learning about the personality of a convict offender. Individual treatment helps discover patterns of criminal and anti-social behavior, crime motives, interests and attitudes of prisoners. It also helps detect the convicts' inadequate attitudes towards the society, family, moral issues and criminal acts. The methods and techniques applied in the course of individual treatment include: formal interviews, informal conversation, dialogue/discussion, encouragement and persuasion, praise and reward system, encouraging competitiveness, adaptation and freedom of expressing one's opinions and viewpoints, development of mutual trust (etc.), all of which are used to solve numerous internal personality conflicts and problems, such as: complexes, frustrations and disorders. These methods also help develop positive aspects of one's personality: a sense of personal responsibility, good work habits, positive attitude to work and future prospects, good hygiene habits, good manners and cultural awareness.

Although group work has the same goal as individual work, individual work is the preferred form of treatment in the Penitentiary Correctional Facility in Niš. Group work started being used as a form of institutional treatment in the PC institute in 1956, when the prisoners regularly held conferences and meetings on relevant topics (such as: "Alcoholism and Crime", "Is the commission of crime worthwhile?", etc.). It was believed that group work arouse interest, initiated brainstorming, surfaced many negative aspects, and helped resolve many issues because the whole group was involved in assessing the negative and positive aspects of each issue under discussion. In the year 2000, group

work was used by 8 educators, and groups of 10-12 convicts per educator who were included in the treatment program including a series of 25 sessions. However, the use of group therapy has been on the decline since 2001. Nowadays, is only occasionally used in practice and it is deemed to be more significant in theoretical context (according to the opinion of the PC Institute staff obtained in conversation with the employees).

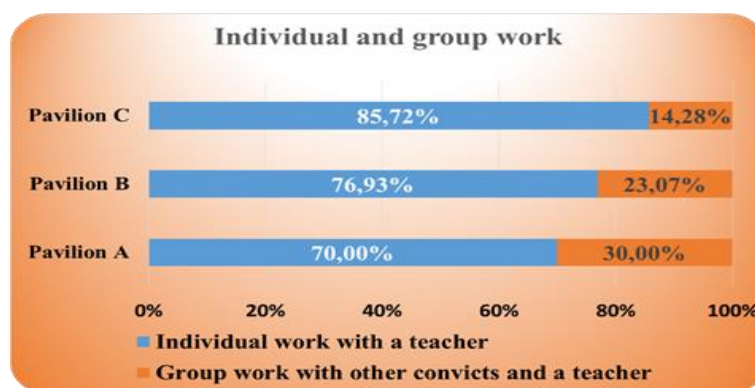


Chart 6 The ratio of individual and group work with prisoners, per Pavilion (in %)

On the grounds of the presented data, it can be concluded that the basic form of work with convicts is individual work, while group work is applied sporadically. The research findings also show that group work is mostly used as a form of institutional treatment of convicts in Pavilion A (30% of the surveyed convicts), slightly less frequently with convicts in Pavilion B (23.07% of convicts), whereas it was quite rarely used with convicts in Pavilion C is (14.28% of convicts).

The analysis of data obtained in the survey confirms the convicts' preference of individual work with an educator. In response to the question: *"Do you get any help after the interview with educators?"*, the largest number of the surveyed prisoners (70%) responded that interviews with educators help them handle their stay in prison, 16.66 % of respondents said that *"interviews with educators do not have any effect"* while 13.33% of convicts answered *"I do not know"*.

4.5. Cultural and sports activities, recreational therapy and spare time activities

Incorporating useful activities in the convicts' leisure time enables developing their skills and positive habits, reduces their tension and frustrations, and brings about some refreshment in their lives. These activities are aimed at providing proper orientation in terms of spending their leisure time, which was largely used inadequately before their confinement, directly or indirectly influencing their criminal behavior. The aim here is to decompose destructive impulses of aggressive delinquents and generate impulses for performing socially useful activities, i.e. transforming aggression by means of culture (Sobotinčić, 1978: 18-22).

In the Penitentiary-Correctional Facility in Niš, inmates have the opportunity to engage in cultural, artistic and sports activities and events. There are various activity groups, including drama, music, technical arts, painting and journalism. Convicts can watch

television and use the services of the PC Institute library. The PC Institute periodically organizes performances of the visiting theatres and concert performers. Prisoners can also participate in sports events and competitions organized in volleyball, table tennis, chess, and mini-football tournaments. The survey findings show that 40% of the surveyed convicts spend their free time watching television, 33.3% of respondents read literature available at the library, 10% of respondents attend theatrical performances, and 46.6% of respondents are engaged in sports.



Chart 7 Convicts' satisfaction concerning their spare time activities (in %)

Despite all the aforementioned activities offered to prisoners in the Penitentiary-Correctional Facility in Niš, 43.33% of the surveyed convicts were *partly satisfied* with the way they spend their free time, 36.66% of respondents were *satisfied*, while 20% of respondents were *not satisfied* with the way they spend their free time.

4.6. Reward and punishment

The goal of disciplinary measures is both educational and corrective, since their application is aimed at eliminating unacceptable and prohibited conduct, and influencing the adoption of socially acceptable behavior patterns (Radoman, 2003: 188).

Disciplinary measures for the violation of institutional normative order are applied to prisoners in line with the envisaged disciplinary regime. Their aim is to prevent the violation of the normative system, facilitate smooth operation of the correctional institution, and ensure a successful implementation of therapeutic activities. On the other hand, reward is applied in the institutional treatment of prisoners as a measure exerting a stimulating effect on convicted offenders to change and correct their behavior. As compared to punishment, reward exerts much more positive impact on convicts.

In the Penitentiary-Correctional Facility in Niš, disciplinary measures may be imposed on convicts for violations which are committed during the term of imprisonment, in contravention with the provisions envisaged in the Act on the Execution of Criminal Sanctions and the PC Institute House Rules. These disciplinary measures may include: a reprimand, a ban on receiving packages, deprivation of special rights and privileges, solitary confinement for a period of time, etc. After examining the convicts' personal records, subsequent data analysis proved that the prisoners who had been involved in an adequate form of institutional treatment (i.e. work engagement) and participated in different

(cultural, entertainment, educational and sport) activities have rarely or almost never been imposed any disciplinary measure. On the other hand, the inmates who actively participate in the institutional treatment program are rewarded, by being given special rights and privileges which serve as a motivating factor and an incentive to abide by the formal system.

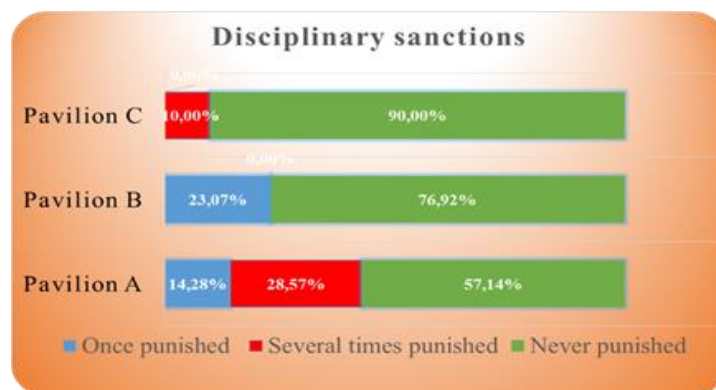


Chart 8 Number of convicts who were imposed disciplinary measures, per Pavilion, in percentages

The survey results show that majority of convicts, from all three pavilions, have never been disciplined, but it is interesting yet unexpected result that as many as 90% of convicts residing in Pavilion C (the closed part of the institution with the highest security level and the narrowest spectrum of rights and benefits that the prisoners can acquire) have never been disciplined.

Extended rights and privileges may be granted to prisoners, provided they have behaved properly and deserved these special rights. The examination of the surveyed convicts' personal records shows that these privileges include: the extended visitation right concerning the circle of people who can visit the convict (distant relatives, friends and others); the extended right to (unattended) visits in special facilities (huts) on prison grounds, the extended right to receive parcels. These rights may be granted to prisoners who are in the closed part of the institution, while the prisoners in the semi-open part can be awarded some additional rights as a reward for good behavior: a day-leave to go out in town, the extended right to receive visits in the institution, the right to visit family and relatives on weekends and holidays (a home-leave), the right to an annual vacation outside the institution (which can be granted to those prisoners who are employed in the PC Institute). It is clear that a convict can be granted more than one right and benefit, provided that he has demonstrated good behavior and observed the house rules and disciplinary rules.

The analysis of data obtained in this research shows that the most commonly granted benefit is the extended visitation right concerning the extended circle of people who can visit the convicted person. This privilege was granted to 40% of the surveyed convicts. The most rarely granted right was the annual leave outside the institution, which was granted to only 13.33% of the respondents, whereas a total of 16.66% of the respondents were not eligible to be awarded special benefits.

In response to the question concerning their motivation to observe the institutional rules and demonstrate good conduct, the largest number of surveyed prisoners (53.33%)

said that they were motivated by *the desire to change and comply with regulations*, 23,33% of convicts were motivated by the *opportunity to acquire certain privileges*, 6,66% of convicts were motivated by *fear of being punished* for violation of institutional rules, while 13,33% of convicts *did not know* what encouraged them to good behavior.

Considering that the aim of correctional treatment is re-socialization and re-defining of the values of the convicted person, the result of the survey is positive. Namely, the surveyed convicts were primarily motivated to demonstrate good behaviour and compliance by the desire to change, which definitely enables them to improve their status in the institution and receive extended visitation rights during their imprisonment. As a means of stimulating convicts' good behavior and compliance with the house rules in the process of rehabilitation, the reward and punishment system must be constantly monitored and closely examined, and eventually changed and adapted in order to accomplish the intended effects of the provided stimulus, which may vary depending on the individual characteristics of inmates and prison living conditions (Milutinović, 1988: 134).

5. CONCLUSION

The penitentiary system is an essential element of state reaction to crime. In order to facilitate successful fight against crime, the contemporary penitentiary-correctional system has to be constantly updated in line with new scientific and practical knowledge and experience. What is disturbing is the rate of recidivism in Serbia, which amounts to about 70%. Among other factors, the reason may be sought in an inappropriate institutional treatment and unsuccessful re-socialization of convicted offenders while serving the sentence of imprisonment.

The research results show that various forms of institutional treatment are applied to prisoners serving their imprisonment sentences in the Penitentiary-Correctional Facility in Niš. The applied forms of treatment have their value only if proven successful in the re-socialization of the convicted offenders and, certainly, provided that they are applied properly and professionally. This is their basic measure of their ultimate value. The research also reveals that all surveyed convicts were involved in at least one of these forms of treatment. However, it is important not only to have each of them involved in some form of treatment but even more so to determine the most suitable form of institutional treatment considering the personality of each convicted person. Thus, convicts can personally contribute to their re-socialization, by being encouraged to recognize and correct their mistakes, by being motivated to change their behaviour and demonstrate respect the formal system, and by being rewarded for good conduct and compliance with the disciplinary and house rules.

The forms of treatment are carried out with the purpose of influencing the person to be disciplined, to understand that the rules of the system must be observed, to have fair treatment of the institution's employees and the inmates, which is the only way to facilitate the stay in prison, and above all, to correct themselves so that after serving their sentence in prison, they can become useful members of the society. Nevertheless, although apparently treatments give good results, the research has shown that even 85% of the convicts involved in the survey are either recidivists, or have been previously convicted once or more with actual imprisonments, which indicates that the previously conducted treatments obviously did not achieve their goal and led to the re-socialization of the convicted person, hence influenced him not to commit criminal offenses. Therefore, it is of great theoretical importance to discover their real value and increase their efficiency through an exact

empirical research. Continuous research activities will provide elements for the introduction of an adjustment in treatment issues and actions, which would certainly have an impact on reducing crime rates, as well as reducing the rate of recidivism.

REFERENCES

- Konstantinović-Vilić, S., Kostić, M. (2011). *Penologija* (Penology), Centar za publikacije, Pravni fakultet, Univerzitet u Nišu.
- Korn, R. R., L. W. McCorkle, *Criminology and Penology*, Holt, Rinehart and Winston, New York, 1959;
- Milutinović, M., (1988). *Penologija* (Penology), Savremena administracija, Belgrade,
- Milutinović, M., (1985). *Penologija* (Penology), Savremena administracija, Belgrade,
- Nikolić, Z. (1994). Пенолошка андрагогија са методиком преваспитања (Penological Andragogy with Rehabilitation Methodology), Institut za kriminološka i sociološka istraživanja, Beograd
- Ogrizović, M., (1970). Облици и методи одгојно образовног рада у установама за извршење кривичних санкција према малолетницима (Forms and Methods of Educational Work in the institutions for execution of criminal sanctions against minors), Simpozijum o izvršenju krivičnih sankcija prema maloletnicima, Arandelovac
- Radoman, M., (2003). Пенологија и систем извршења кривичних санкција (Penology and the System of Execution of Criminal Sanctions), Centar za publikacije, Pravni fakultet, Univerzitet u Novom Sadu
- Sobotinčić A. (1978). Рационално коришћење слободног времена у казнено-поправним установама (Rational Use of Free Time in Correctional Institutions), *Penology*, 1-2 / 78.
- Monografija: 100 година Казнено поправног завода у Нишу 1910 -2010 (Monograph: 100 years of the Penitentiary and Correctional Facility in Niš 1910-2010), Alta Nova Beograd, Nis, 2010,
- Suleiman, Z (1997). *Пенологија* (Penology), Opinions second, Magor, Skopje,
- Закон о извршењу кривичних санкција (Act on the Execution of Criminal Sanctions), „Службени гласник РС“ број 55/2014)
- Правилник о кућном реду казнено-поправних завода и окружних затвора (Rulebook on House Rules in Penitentiaries and District Prisons), „Службени гласник РС“ бр. 55/14.

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Ključne reči: *Kazneno popravni zavod u Nišu, oblici tretmana, kazna zatvora, resocijalizacija.*

Proofreading and translation: Gordana Ignjatović